



W.P.(MD)Nos.713 and 746 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

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W.M.P(MD).Nos.717, 719, 739 and 740 of 2023

S.S.Marimuthu ... Petitioner in W.P(MD).No.713 of 2023
D.Thangaganesan ... Petitioner in W.P(MD).No.746 of 2023
Vs.

1.The Chief Educational Officer,
Office of the Chief Educational Officer,
Tuticorin District,
Tuticorin.

2.The District Educational Officer,
Kovilpatti Educational District,
Kovilpatti,
Tuticorin District.

3.The Secretary,
Hindu Nadar Higher Secondary School,
Kadambur,
Kayathar Taluk,
Tuticorin District.

... Respondents in both petitions

Common Prayer:Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, call for



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the records pertaining to the impugned orders dated 06.01.2023 passed by the 3rd respondent against the petitioners suspending them for the period from 07.01.2023 to 17.01.2023 and quash the same as not valid and null and void and thereby forbearing the respondents 1 and 2 from approving the impugned orders.

In both cases

For Petitioner : Mr.F.X.Eugene

For Respondents : Mr.J.Ashok
Additional Government Pleader
for R1 and R2

COMMON ORDER

These Writ Petitions have been filed to call for the records pertaining to the impugned orders dated 06.01.2023 passed by the 3rd respondent against the petitioners suspending them for the period from 07.01.2023 to 17.01.2023, quash the same as null and void and thereby forbear the respondents 1 and 2 from approving the impugned orders.

2. The case of the petitioners is that the petitioners are working as Post Graduate Teachers in the 3rd respondent School. While



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they are in service, the impugned suspension orders have been issued suspending the petitioners from 07.01.2023 to 17.01.2023. Challenging the same, the present writ petitions have been filed.

3. The learned counsel appearing for the petitioners would submit that the third respondent Management in order to deprive the rights of the petitioners being promoted to the promotional post, created the records for which earlier charge memo was issued and thereafter, the suspension orders were passed. Challenging the same, the petitioners made representations on 15.12.2022 before the second respondent. Hence, it would be suffice if this Court directs the second respondent to conduct enquiry between the petitioner and the third respondent and pass appropriate orders on the representations of the petitioners within the time fixed by this Court.

4. Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents 1 and 2. Since no adverse order has been passed against the third



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respondent, notice to the third respondent is dispensed with.

5. Considering the limited request made by the learned counsel appearing for the petitioners, this Court, without interfering with the impugned orders passed by the 3rd respondent, is inclined to issue a direction to the second respondent to conduct enquiry between the petitioners and third respondent and pass appropriate orders on the representations of the petitioners dated 15.12.2022 on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, these Writ Petitions are disposed of. No costs. Connected miscellaneous petitions are closed.

11.01.2023

ssb
NCC:Yes/No
Index:Yes/No
Internet:Yes/No



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To

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M.DHANDAPANI,J.

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